

**CORRECTED NOTICE OF PUBLIC HEARING  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

The public notice below supersedes the notice published on Tuesday, December 30, 2008, regarding the two following National Pollutant Discharge Elimination System (NPDES) items:

Pursuant to the requirements of the NPDES permitting program for the discharge of wastewater to navigable waters, the California Regional Water Quality Control Board, San Diego Region (Regional Board) intends to consider the following NPDES permit actions:

1. Review of Marine Life Mitigation Plan: Waste Discharge Requirements for Poseidon Resources Corporation, Proposed Carlsbad Desalination Project, Order No. R9-2006-0065, NPDES No. CA0109223 - The Regional Board will review the document entitled, "Poseidon Resources Plant Marine Life Mitigation Plan," (MLMP) dated November 14, 2008 submitted by Poseidon Resources Corporation to satisfy the requirements the Regional Board established in Resolution No. R9-2008-0039, Conditional Approval of Revised Flow, Entrainment, and Impingement Minimization Plan for Poseidon Resources Corporation Carlsbad Desalination Project. The Regional Board will consider whether the MLMP meets the conditions of Resolution No. R9-2008-0039, and
2. NPDES Permit Revision: Waste Discharge Requirements for Duke Energy (now Dynegy) South Bay LLC, South Bay Power Plant, San Diego County, Order No. R9-2004-0154, NPDES No. CA0001368 (tentative Resolution No. R9-2009-0006).

The Regional Board wishes to obtain public input on these matters. The Regional Board will hear oral comments and consider written comments associated with, and limited to, the above listed proposed actions at its meeting on February 11, 2009 beginning at 9:00 a.m. in the Regional Board Meeting Room, 9174 Sky Park Court, San Diego, California.

Interested persons are invited to attend to present comments. Oral statements will be heard, but for the accuracy of the record, significant comments should be submitted in writing.

To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Monday, January 26, 2009. Written comments received after 5:00 p.m. on Monday, February 2, 2009 will not be provided to the Regional Board members prior to the hearing. Written comments must be mailed, faxed, or delivered to the Regional Board's office at:

9174 Sky Park Court  
Suite 100  
San Diego, CA 92123  
Phone: (858) 467-2952  
FAX: (858) 571-6972

Comments may also be submitted by e-mail subject to the above time deadlines and as long as the total submittal (including attachments) does not exceed five printed pages in length. E-mail comments must be submitted to: [RB9agenda@waterboards.ca.gov](mailto:RB9agenda@waterboards.ca.gov) to ensure consideration by the Regional Board. Insert the word "Agenda" in the subject line.

Pursuant to Title 23, California Code of Regulations, Section 648.4, the Regional Board may refuse to admit written testimony into evidence if it is not submitted to the Regional Board in a timely manner, unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would create an unreasonable hardship.

Information related to these matters is currently available and may be reviewed at the Regional Board's office or on the Regional Board's web page at <http://www.waterboards.ca.gov/sandiego>.

For information regarding Item No. 1 above, please contact Ms. Michelle Mata at (858) 467-2981 or by email at [mmata@waterboards.ca.gov](mailto:mmata@waterboards.ca.gov). For information regarding Item No. 2 above, please contact Mr. Vicente Rodriguez at (858) 627-3940 or via email at [vrodriguez@waterboards.ca.gov](mailto:vrodriguez@waterboards.ca.gov).

Please bring the foregoing to the attention of any person known to you who would be interested in these matters.

JOHN H. ROBERTUS  
Executive Officer  
January 2, 2009